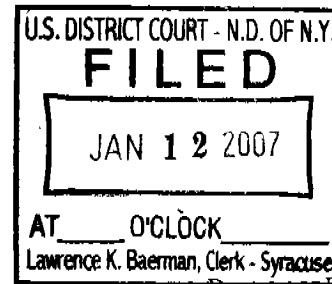




STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
ATTORNEY GENERAL

DIVISION OF REGIONAL OFFICES
SYRACUSE REGIONAL OFFICE

January 12, 2007

Hon. Randolph F. Treece
United States Magistrate Judge
United States District Court
Northern District of New York
James T. Foley United States Courthouse
445 Broadway
Albany, NY 12201-2924

Re: Matagrano v. Miles, et al.
Northern District of New York
05-CV-1459 (DNH)(RFT)

Consented as per direction
of Judge TREECE
Dated: 1-12-07
By: RB

Dear Judge Treece:

Defendants New York State Department of Correctional Services, Kirkpatrick, and Andzel were served with process in the above-entitled action and their responses are due on January 23 and 24, 2007.

The allegations in the complaint must be investigated; therefore, I respectfully request an extension of time to February 27, 2007 within which to serve a response to the complaint.

Thank you for your consideration of this matter.

Respectfully yours,

s/Senta B. Siuda
Senta B. Siuda
Assistant Attorney General
Bar Roll No. 104416

cc: Matthew John Matagrano
04-A-5883
Wende Correctional Facility
3040 Wende Road
Alden, New York 14004-1187